

SENATE FILE 2100
BY MCKINLEY

A BILL FOR

1 An Act relating to lobbying activities by federal, state, and
2 local government agencies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68B.2, subsection 6, Code 2009, is
2 amended to read as follows:

3 6. "*Client*" means a private person ~~or a state, federal, or~~
4 ~~local government entity~~ that pays compensation to or designates
5 an individual to be a lobbyist.

6 Sec. 2. Section 68B.2, subsection 13, paragraph a,
7 subparagraph (3), Code 2009, is amended by striking the
8 subparagraph.

9 Sec. 3. Section 68B.5A, subsection 7, Code 2009, is amended
10 by striking the subsection.

11 Sec. 4. Section 68B.8, Code 2009, is amended to read as
12 follows:

13 **68B.8 Lobbying activities by federal, state, and local**
14 **government agencies.**

15 1. A state agency of the executive branch of state
16 government shall not use or permit the use of its public funds
17 for a paid advertisement or public service announcement thirty
18 days prior to or during a legislative session for the purpose
19 of encouraging the passage, defeat, approval, or modification
20 of a bill that is being considered, or was considered during
21 the previous legislative session, by the general assembly.

22 2. A person representing a federal, state, or local
23 government agency before the general assembly, a state
24 agency, or any statewide elected official shall not encourage
25 the passage, defeat, approval, veto, or modification of
26 legislation, a rule, or an executive order but may perform
27 activities described in section 68B.2, subsection 13, paragraph
28 "b".

29 Sec. 5. Section 68B.34A, Code Supplement 2009, is amended
30 to read as follows:

31 **68B.34A Actions commenced against local officials or**
32 **employees.**

33 ~~1. Complaints alleging conduct of local officials or local~~
34 ~~employees which violates this chapter, except for sections~~
35 ~~68B.36, 68B.37, and 68B.38, shall be filed with the county~~

1 attorney in the county where the accused resides. However, if
2 the county attorney is the person against whom the complaint is
3 filed, or if the county attorney otherwise has a personal or
4 legal conflict of interest, the complaint shall be referred to
5 another county attorney.

6 ~~2. Complaints alleging conduct of local officials or~~
7 ~~local employees which violates section 68B.36, 68B.37,~~
8 ~~or 68B.38 shall be filed with the ethics committee of the~~
9 ~~appropriate house of the general assembly if the conduct~~
10 ~~involves lobbying activities before the general assembly or~~
11 ~~with the board if the conduct involves lobbying activities~~
12 ~~before the executive branch.~~

13 Sec. 6. Section 68B.36, subsection 5, Code 2009, is amended
14 by striking the subsection.

15 EXPLANATION

16 This bill relates to lobbying activities by federal, state,
17 and local agencies.

18 Currently, there are four defined types of lobbyists. One
19 of the types is persons serving or employed by federal, state,
20 or local governmental agencies. All persons included under
21 the definition of lobbyist are subject to certain laws under
22 Code chapter 68B, including lobbyist registration and reporting
23 requirements.

24 The bill eliminates persons serving or employed by federal,
25 state, or local governmental agencies from the definition of
26 lobbyist. The bill makes conforming amendments in the areas
27 of lobbyist registration, bans on certain lobbying activities,
28 and jurisdiction for certain actions commenced against local
29 officials or employees.

30 The bill prohibits a person representing a federal, state,
31 or local government agency before the general assembly, a state
32 agency, or any statewide elected official from encouraging
33 the passage, defeat, approval, veto, or modification of
34 legislation, a rule, or an executive order.